United Nations S/RES/2278 (2016)

Security Council

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Resolution 2278 (2016)

Adopted by the Security Council at its 7661st meeting, on 31 March 2016

The Security Council,

Recalling the arms embargo, travel ban, assets freeze and measures concerning illicit oil exports which were imposed and modified by resolutions 1970 (2011), 1973 (2011), 2009 (2011), 2040 (2012), 2095 (2013), 2144 (2014), 2146 (2014), 2174 (2014) and 2213 (2015) (the Measures), and that the mandate of the Panel of Experts established by paragraph 24 of resolution 1973 (2011) and modified by resolutions 2040 (2012), 2146 (2014) and 2174 (2014) was extended until 30 April 2016 by resolution 2213 (2015),

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Libya,

Recalling resolution 2259 (2015) which welcomed the signing of the 17 December 2015 Libyan Political Agreement of Skhirat, Morocco and endorsed the Rome Communiqué of 13 December 2015 to support the Government of National Accord as the sole legitimate government of Libya, that should be based in Tripoli, and *further expressing* its determination in this regard to support the Government of National Accord,

Welcoming the meeting of the Libyan Political Dialogue on 10 March 2016, which reaffirmed its commitment to uphold the Libyan Political Agreement,

Underlining the primary responsibility of the Government of National Accord in taking appropriate action to prevent the illicit export of crude oil from Libya and *reaffirming* the importance of international support for Libyan sovereignty over its territory and resources,

Expressing its concern that the illicit export of crude oil from Libya undermines the Government of National Accord and poses a threat to the peace, security and stability of Libya,

Expressing support to Libyan efforts to resolve peacefully the disruptions of Libya's energy exports and reiterating that control of all facilities should be transferred back to the proper authorities,

Further reiterating its concern about activities which could damage the integrity and unity of Libyan State financial institutions and the National Oil

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Corporation, *highlighting* the importance of these institutions continuing to function for the benefit of all Libyans, and *stressing* the need for the Government of National Accord to exercise sole and effective oversight over the National Oil Corporation, the Central Bank of Libya, and the Libyan Investment Authority as a matter of urgency, without prejudice to future constitutional arrangements pursuant to the Libyan Political Agreement,

Further recalling resolution 2259 (2015) which called on Member States to cease support to and official contact with parallel institutions claiming to be the legitimate authority, but which were outside the Libyan Political Agreement, as specified by it,

Recalling that international law, as reflected in the United Nations Convention on the Law of the Sea of 10 December 1982, sets out the legal framework applicable to activities in the ocean,

Reaffirming the importance of holding accountable those responsible for violations or abuses of human rights or violations of international humanitarian law, including those involved in attacks targeting civilians and *stressing* the need to transfer detainees to State authority,

Reiterating its expression of support for the Government of National Accord, as stated in paragraph 3 of resolution 2259 (2015), and *noting* in this regard the specific requests made to the Government of National Accord in this resolution,

Reiterating its request that all Member States fully support the efforts of the Special Representative of the Secretary-General and work with the Libyan authorities and United Nations Support Mission in Libya (UNSMIL) to develop a coordinated package of support to build the capacity of the Government of National Accord, in line with Libyan priorities and in response to requests for assistance,

Determining that the situation in Libya continues to constitute a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

Prevention of Illicit Oil Exports

1. *Decides* to extend until 31 July 2017 the authorizations provided by and the measures imposed by resolution 2146 (2014);

2. *Condemns* attempts to illicitly export crude oil from Libya, including by parallel institutions which are not acting under the authority of the Government of National Accord;

3. *Requests* that the Government of National Accord appoint and notify the Committee established pursuant to resolution 1970 (2011) of a focal point responsible for communication with the Committee with respect to the measures in resolution 2146 (2014), and to inform the Committee of any vessels transporting crude oil illicitly exported from Libya, and *urges* the Government of National Accord to provide regular updates to inform the Committee on ports, oil fields, and installations that are under its control, and to inform the Committee about the mechanism used to certify legal exports of crude oil;

4. *Calls on* the Government of National Accord, on the basis of any information regarding such exports or attempted exports, to expeditiously contact

the concerned vessel's flag State, in the first instance, to resolve the issue and *directs* the Committee to immediately inform all relevant Member States about notifications to the Committee from the Government of National Accord's focal point regarding vessels transporting oil illicitly exported from Libya;

Effective Oversight of the Financial Institutions

5. *Requests* that the Government of National Accord confirm to the Committee as soon as it exercises sole and effective oversight over the National Oil Corporation, the Central Bank of Libya, and the Libyan Investment Authority;

Arms Embargo

6. *Requests* the Government of National Accord to appoint a focal point to brief the Committee at its request and provide information relevant to the Committee's work on the structure of the security forces under its control, the infrastructure in place to ensure the safe storage, registration, maintenance and distribution of military equipment by the Government security forces, and training needs, and *emphasizes* the importance of the Government of National Accord exercising control over and safely storing arms, with the support of the international community;

7. Affirms that the Government of National Accord may submit requests under paragraph 8 of resolution 2174 (2014) for the supply, sale or transfer of arms and related materiel, including related ammunition and spare parts, for the use by security forces under its control to combat ISIL (the Islamic State in Iraq and the Levant, also known as Da'esh), groups that have pledged allegiance to ISIL, Ansar Al Sharia, and other, groups associated with Al-Qaida operating in Libya, *calls upon* the Committee established pursuant to paragraph 24 of resolution 1970 (2011) to consider expeditiously such requests, and *affirms* the Security Council's readiness to consider reviewing the arms embargo, when appropriate;

8. *Urges* Member States to assist the Government of National Accord, upon its request, by providing it with the necessary security and capacity-building assistance, in response to threats to Libyan security and in defeating ISIL, groups that have pledged allegiance to ISIL, Ansar Al Sharia, and other groups associated with Al-Qaida operating in Libya;

9. *Urges* the Government of National Accord to improve further the monitoring and control of arms or related materiel that are supplied, sold or transferred to Libya in accordance with paragraph 9 (c) of resolution 1970 (2011) or paragraph 8 of resolution 2174 (2014), including through the use of end user certificates issued by the Government of National Accord, *requests* the Panel of Experts established by paragraph 24 of resolution 1973 (2011) to consult with the Government of National Accord about the safeguards needed to safely procure and secure arms and related materiel, and *urges* Member States and regional organizations to provide assistance to the Government of National Accord upon its request to strengthen the infrastructure and mechanisms currently in place to do so;

10. *Calls upon* the Government of National Accord to improve the implementation of the arms embargo, including at all entry points, as soon as it exercises oversight, and *calls upon* all Member States to cooperate in such efforts;

Asset Freeze

11. *Reaffirms* its intention to ensure that assets frozen pursuant to paragraph 17 of resolution 1970 (2011) shall at a later stage be made available to and for the benefit of the Libyan people and taking note of the letter circulated as document S/2016/275, *affirms* the Security Council's readiness to consider changes, when appropriate, to the asset freeze at the request of the Government of National Accord;

Panel of Experts

12. *Decides* to extend until 31 July 2017 the mandate of the Panel of Experts (the Panel), established by paragraph 24 of resolution 1973 (2011) and modified by resolutions 2040 (2012), 2146 (2014) and 2174 (2014), and *decides* that the Panel's mandated tasks shall remain as defined in resolution 2213 (2015);

13. *Decides* that the Panel shall provide to the Council an interim report on its work no later than 180 days after the Panel's appointment, and a final report to the Council, after discussion with the Committee, no later than 15 June 2017 with its findings and recommendations;

14. *Urges* all States, relevant United Nations bodies, including UNSMIL, and other interested parties, to cooperate fully with the Committee and the Panel, in particular by supplying any information at their disposal on the implementation of the Measures decided in resolutions 1970 (2011), 1973 (2011), 2146 (2014) and 2174 (2014), and modified in resolutions 2009 (2011) and 2040 (2012), 2095 (2013), 2144 (2014) and 2213 (2015) and in this resolution, in particular incidents of non-compliance, and *calls on* UNSMIL and the Government of National Accord to support Panel investigatory work inside Libya, including by sharing information, facilitating transit and granting access to weapons storage facilities, as appropriate;

15. *Calls upon* all parties and all States to ensure the safety of the Panel's members, and *further calls upon* all parties and all States, including Libya and countries of the region, to provide unhindered and immediate access, in particular to persons, documents and sites the Panel deems relevant to the execution of its mandate;

16. *Affirms* its readiness to review the appropriateness of the Measures contained in this resolution, including the strengthening, modification, suspension or lifting of the Measures, and its readiness to review the mandate of UNSMIL and the Panel, as may be needed at any time in light of developments in Libya;

17. *Decides* to remain actively seized of the matter.